



CORPORATE AND ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Sexual Offences and Offending: Criminal Justice Responses				
Module Code	UJUJW-30-2	Level	2	Version	1
Owning Faculty	Business and Law	Field	Law Undergraduate		
Contributes towards	LLB (Hons), LLB (Hons) Law with Criminology, BA (Hons) Criminology and Law, BA (Hons) Criminology with Law; BSc (Hons) Psychology with Law, LLB (Hons) Law with Psychology, Law Joint Awards				
UWE Credit Rating	30	ECTS Credit Rating	15	Module Type	Standard
Pre-requisites			Co- requisites		
Excluded Combinations	UJUBAA-30-3 Sexual Offences and Offending: Criminal Justice Responses	Module Entry requirements	75 credits including 30 credits in Law		
Valid From	September 2012	Valid to			

<b>CAP Approval Date</b>	1/5/12
--------------------------	--------

Part 2: Learning and Teaching	
Learning Outcomes	<p>On successful completion of this module students will be able to:</p> <p><i>Upon completion of this module it is hoped that students will be able to:</i></p> <ol style="list-style-type: none"> <li>1. Understand how sexual offences are investigated, prosecuted and sentenced by criminal justice agencies, including the police, Crown Prosecution Service and the courts;</li> <li>2. Analyse strengths and deficiencies in the criminal justice response to sexual offences and offending and how any deficiencies might be addressed;</li> <li>3. Ascertain the role, function and performance of all relevant criminal justice agencies in dealing with particular offences, such as rape;</li> <li>4. Recognise areas of particular controversy within the criminal justice system, for example, how sex offenders within the community should be monitored and controlled; ;</li> <li>5. Identify both the strengths and weaknesses in the existing research evidence on the criminal justice system's treatment of sexual offences and offending. ;</li> </ol> <p>All these learning outcomes will be assessed by the combination of coursework and exam. While the exam will assess all of the learning outcomes, the essay will focus on a narrower range of outcomes, depending on the specific essay title.</p>
Syllabus Outline	<p><b>Indicative content – Rape within the Criminal Justice System</b></p> <ul style="list-style-type: none"> <li>• Societal attitudes and their impact on rape law enforcement</li> <li>• Police and prosecutorial decision-making</li> <li>• Courtroom treatment of complainants, including cross-examination</li> <li>• Sentencing</li> </ul>

	<ul style="list-style-type: none"> <li>• Strategies for improving conviction rates</li> </ul> <p><b>Child Sexual Abuse within the Criminal Justice System</b></p> <ul style="list-style-type: none"> <li>• Examination of the specific needs of child complainants</li> <li>• “Special measures” to assist child and vulnerable witnesses</li> <li>• Consideration of how these measures have operated in practice</li> <li>• Investigation/prosecution of cases involving child pornography</li> </ul> <p><b>Sex Offenders: Criminal Justice Responses</b></p> <ul style="list-style-type: none"> <li>• The problems posed by sex offenders – public protection, rehabilitation and the rights of convicted sex offenders</li> <li>• Imprisonment/supervision in the community</li> <li>• Use of specific measures, including civil orders, castration, registration and public notification, use of lie detectors, various behavioural restrictions on high-risk offenders</li> <li>• What works and what does not in preventing re-offending by sex offenders</li> <li>• Policing of prostitution, pimps and clients</li> <li>• Policing of consensual sexual offences</li> </ul>
Contact Hours/Scheduled Hours	The module will be taught by means of weekly two hour lectures and fortnightly one hour seminars. Contact is also achieved by means of a module-specific Twitter account @phil_rumney. The account is used as a means of communicating updates of relevant articles, research, case law etc. and provides an excellent means of facilitating student access to online materials.
Teaching and Learning Methods	<p><b>Scheduled learning</b> includes lectures, seminars, tutorials, and workshops.</p> <p><b>Independent learning</b> includes hours engaged with essential reading, case study preparation, assignment preparation and completion etc. These sessions constitute an average time per level as indicated below.</p> <p>The module will be taught by means of weekly lectures and fortnightly seminars designed to enable students to achieve the learning outcomes outlined above. The subject matter discussed in lectures will be examined in detail within the seminars, thus allowing students to deepen their understanding and address any areas with which they have difficulty. Students will be expected to spend approximately 6-8 hours preparing for each seminar.</p> <p>In addition, the module will be supported by on-line materials which will enable students to pursue their particular interests through the use of digitised materials and those available via the module Twitter account. The module Blackboard site contains an extensive collection of reports, articles and other materials that are intended to assist students in their coursework and examination preparation.</p>
Reading Strategy*	<p>Seminar reading will be in the form of cases, statutes, articles and relevant sections of reports and monographs. All essential reading is normally available electronically through legal databases such as LEXIS, Westlaw and the WWW. A number of sources will also be available via the module Blackboard site and Twitter account. Paper copies of many of the sources will also be available in the library.</p> <p>The library contains a wide variety of electronic and paper sources relevant to this module. In the context of sources available on the WWW the module manual will contain links to sites which contain relevant reports (e.g. Home Office) or links directly to the source itself. To assist with access, a copy of the module manual will be placed on the module’s Blackboard site which will allow students to ‘click’ on the relevant link and they will be taken directly to that source.</p>
Indicative Reading List	<p>The reading for seminars, coursework and the exam will include cases, statutes, monograph chapters, reports and articles. A representative selection of essential and further reading, includes:</p> <p><b>Essential Reading</b> M Burton <i>et al</i>, ‘Vulnerable and Intimidated Witnesses and the Adversarial</p>

Process in England and Wales' (2007) 11 *International Journal of Evidence and Proof* 1

G Coss, 'Hakopian's Case - Oh Chastity! What Crimes are Committed in Thy Name' (1992) 16 *Criminal Law Journal* 160

L Ellison and VE Munro, 'Reacting to Rape: Exploring Mock Jurors' Assessments of Complainant Credibility,' (2009) 49 *British Journal of Criminology* 202

K Harrison and B Rainey, 'Suppressing human rights? A rights-based approach to the use of pharmacotherapy with sex offenders' (2009) 29 *Legal Studies* 47

HMCPSI/HMIC, *Without Consent: A Report on the Joint Review of the Investigation and Prosecution of Rape Offence* (2007) paras 6.1-6.80, available at: <http://inspectorates.homeoffice.gov.uk/hmic/inspections/thematic/wc-thematic/>

Judicial Studies Board, *Crown Court Bench Book- Directing the Jury* (2010) 353-362 (see Blackboard)

H Kemshall *et al*, *Child Sex Offender Review (CSOR): Public Disclosure Pilots, A Process Evaluation* (2010) <http://rds.homeoffice.gov.uk/rds/pdfs10/horr32c.pdf>

J Plotnikoff and R Woolfson, 'Making the Best Use of the Intermediary Special Measure at Trial' [2008] *Crim LR* 91

H Reece, 'Rape Law: Against Anonymity', available at: <http://www.spiked-online.com/Articles/00000002D233.htm>

J Temkin, 'Prosecuting and Defending Rape: Perspectives from the Bar' (2000) 27 *Journal of Law and Society* 219

J Temkin, *Rape and the Legal Process* 2<sup>nd</sup> ed. (2002) 305-314

Sentencing Advisory Council, *Sexual Offences Act 2003: Definitive Guidance* 5-11, 19-26. This document can be found at: <http://sentencingcouncil.judiciary.gov.uk/guidelines/guidelines-to-download.htm>

*The Stern Review: A report by Baroness Vivien Stern CBE of an independent review into how rape complaints are handled by public authorities in England and Wales* (2010) ch. 2. The report is available at: [http://www.equalities.gov.uk/stern\\_review.aspx](http://www.equalities.gov.uk/stern_review.aspx)

T Thomas, 'Community Notification: Experiences from America' (2003) 42 *Howard Journal of Criminal Justice* 217

D Wolchover and A Heaton-Armstrong, 'Rape Trials,' *Criminal Law & Justice Weekly* 24 April 2010, 244

*Attorney's General's Reference (Nos 73, 75 and 3 of 2010)* [2011] EWCA Crim 633

*Attorney General's Reference No. 107 of 2007* [2008] 2 Cr App R (S.) 65

*R v Brown* [2011] EWCA Crim 196

*R v Byrne* [2010] 1 Cr App R (S.) 65

*R v D* [2009] Crim. L.R. 590

*R v Millberry* [2003] 1 WLR 546; [2002] EWCA Crim 2891; [2003] 2 Cr. App. R. (S.) 31

JS Levenson and LP Cotter, 'The Effect of Megan's Law on Sex Offender Reintegration' (2005) 21 *Journal of Contemporary Criminal Justice* 49

**Further Reading**

D Cooper, 'Pigot Unfulfilled: Video-recorded cross examination under section 28 of the Youth Justice and Criminal Evidence Act 1999'[2005] *Crim LR* 456

G Davis *et al*, *An Assessment of the Admissibility and Sufficiency of Evidence in Child Abuse Prosecutions* (1999) (Available on the Home Office Website)

L Ellison, 'Cross-examination and the Intermediary: Bridging the Language Divide?' [2002] *Crim LR* 114

L Ellison, „Closing the credibility gap: The prosecutorial use of expert witness testimony in sexual assault cases“ [2005] 9 *International Journal of Evidence and Proof* 239

A Gillespie, „Child Abuse Prosecutions and the Human Rights Act 1998“ *New Law Journal* April 28, 2000, 620

K Harrison, 'The High Risk Sex Offender Strategy in England and Wales: Is chemical castration an option?' (2007) 46 *The Howard Journal* 16

C Keenan, „Interviewing Allegedly Abused Children with a View to Criminal Prosecution“ [1999] *Criminal Law Review* 863

	<p>JS Levenson <i>et al</i>, 'Megan's Law and Its Impact on Community Re-Entry for Sex Offenders' (2007) 25 <i>Behavioral Sciences and the Law</i> 587</p> <p>P Lewis and A Mullis, 'Delayed Criminal prosecutions for Childhood Sexual Abuse: Ensuring a Fair Trial' (1999) 115 <i>LQR</i> 265</p> <p>AM McAlinden, 'The Use of 'Shame' with Sexual Offences' (2005) 45 <i>British Journal of Criminology</i> 373</p> <p>J Plotnikoff and R Woolfson, <i>Where are they now?: An evaluation of sex offender registration in England and Wales</i> (available on the Home Office Website)</p> <p>The Royal College of Paediatrics and Child Health, <i>Child Protection Survey</i> (2003)</p> <p>This report can be viewed at: <a href="http://www.rcpch.ac.uk/">http://www.rcpch.ac.uk/</a></p> <p>The <i>No Witness, No Justice</i> programme, see: <a href="http://www.cabinetoffice.gov.uk/opsr/documents/pdf/cjs_final.pdf">http://www.cabinetoffice.gov.uk/opsr/documents/pdf/cjs_final.pdf</a></p> <p>Avail Consulting, <i>No Witness, No Justice (NWNJ) Pilot Evaluation Executive Summary</i> (2004), see: <a href="http://www.cps.gov.uk/publications/docs/NWNJ_executive_summary_291004.pdf">http://www.cps.gov.uk/publications/docs/NWNJ_executive_summary_291004.pdf</a></p> <p>S Shute, „The Sexual Offences Act 2003: (4) New Civil Preventative Orders – Sexual Offences Prevention Orders, Foreign Travel Orders, Risk of Sexual Harm Orders“ [2004] <i>Crim LR</i> 417</p> <p>N Stecker, „Sex Offender Registry Raises Complex Legal Issues“ (2003) <i>Michigan Bar Journal</i> 36</p> <p>KB Wilkins, „Sex Offender Registration and Community Notification Laws: Will These Laws Survive?“ (2003) 37 <i>University of Richmond Law Review</i> 1245</p>
--	---

<b>Part 3: Assessment</b>	
<b>Assessment Strategy</b>	<p>The module is assessed on the basis of a two-hour exam (60%) and one 3.000 word essay (40%).</p> <p>The coursework constitutes the formative assessment for the module and enables students to engage in an analysis of issues discussed and researched in the first semester.</p> <p>The seminar programme prepares the students for both forms of assessment by including questions that have been used in prior assessments thus enabling the students to understand the structure, analysis and research necessary to answer the assessed questions to a high standard.</p> <p>The exam constitutes the summative assessment for the module and assesses knowledge and understanding gained over the academic year.</p> <p>In broad terms, the coursework and exam assess student understanding of the criminal justice system's responses to sexual offences and offending using a range of legal and extra-legal material. Students will be expected to show an understanding of relevant case law and statute and to be able to comment on relevant policy debates and the desirability of specific reforms, as well as the limitations of legal/policy change.</p> <p>For the coursework, students are provided with detailed written feedback. In addition, appointments are made available to any student wishing to discuss feedback and raise queries with module tutors.</p> <p>Prior to both assessments advice is given in specific lectures on how to achieve high grades and what to avoid. General feedback is also provided after the coursework has been marked explaining what was done well and how improvements can be made in the examination.</p>

Identify final assessment component and element	<b>Component A</b>	
% weighting between components A and B (Standard modules only)	<b>A:</b>	<b>B:</b>
	<b>60%</b>	<b>40%</b>
<b>First Sit</b>		
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1.Exam (2 hours)	60%	
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1.Coursework (3,000 word essay)	40%	
<b>Resit (further attendance at taught classes is not required)</b>		
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. Exam (2 hours)	60%	
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)	
1. Coursework (3,000 word essay)	40%	
If a student is permitted an <b>EXCEPTIONAL RETAKE</b> of the module the assessment will be that indicated by the Module Description at the time that retake commences.		